

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION – DIVISION OF DRINKING WATER
DECEMBER 1, 2020**

ITEM 4

SUBJECT

CONSIDERATION OF A PROPOSED RESOLUTION TO AUTHORIZE THE EXECUTIVE DIRECTOR OR DESIGNEE TO ENTER INTO AND AMEND MULTI-YEAR CONTRACT NOT TO EXCEED \$1 MILLION TO ESTABLISH AND ADMINISTER AN EXPERT PANEL PROCESS TO SUPPORT DIVISION OF DRINKING WATER IN CARRYING OUT LEGISLATIVE MANDATES RELATED TO AB 574 AND AB 1180

DISCUSSION

Assembly Bill 574 (AB 574, Chapter 528, Statutes of 2017) requires that the State Water Resources Control Board (State Water Board) adopt uniform statewide regulations for direct potable reuse via raw water augmentation by December 31, 2023 that is protective of public health, and requires that the State Water Board convene and administer an expert panel for the purposes of reviewing the proposed regulations for direct potable reuse and adopt a finding as to whether the proposed regulations, in its expert opinion, would adequately protect public health. The State Water Board may not adopt the regulations unless and until the expert panel adopts a finding that that proposed regulations would adequately protect public health. AB 574 authorizes the State Water Board to contract with public or nonprofit research entities in establishing and administering the expert panel.

AB 574 requires that the State Water Board consult with the expert panel as needed regarding research and the need for additional research. After adoption of the regulations for direct potable reuse via raw water augmentation, AB 574 allows the State Water Board to reconvene or reestablish the expert panel, if necessary, to provide additional scientific and technological research or to recommend a source of existing research or new research to be conducted on raw water augmentation.

Assembly Bill 1180 (Chapter 455, Statutes of 2019) requires that the State Water Board update the uniform statewide criteria for non-potable recycled water uses established in the California Code of Regulations, Title 22, Division 4, Chapter 3 on or before January 1, 2023. Technical and scientific questions arising from the regulation update efforts will be addressed by the expert panel process established under AB 574.

State Water Board staff estimate the initial cost of the expert panel work at \$700,000 to address the Legislative mandates contained in AB 574 and AB 1180. Given the potential need to address unforeseen issues or extend the expert panel's work, the staff

recommend that the State Water Board authorize the total contract amount not to exceed \$1 million.

POLICY ISSUE

Should the State Water Board authorize the Executive Director or designee to enter into and amend a multi-year contract not to exceed \$1 million to establish and administer an expert panel process to support Division of Drinking Water in carrying out Legislative mandates related to AB 574 and AB 1180?

FISCAL IMPACT

Funding of up to \$1 million is available over Fiscal Years 20-21 and 21-22.

REGIONAL BOARD IMPACT

None.

STAFF RECOMMENDATION

The State Water Board should authorize the Executive Director or designee to enter into and amend a multi-year contract not to exceed \$1 million to establish and administer an expert panel process to support Division of Drinking Water in carrying out Legislative mandates related to AB 574 and AB 1180.